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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

LAURA LEIGH

CASE NO. 3:11-cv-00608

Plaintiff,

v.

FEDERAL DEFENDANTS' NOTICE OF RELATED CASES

KEN SALAZAR, et al.,

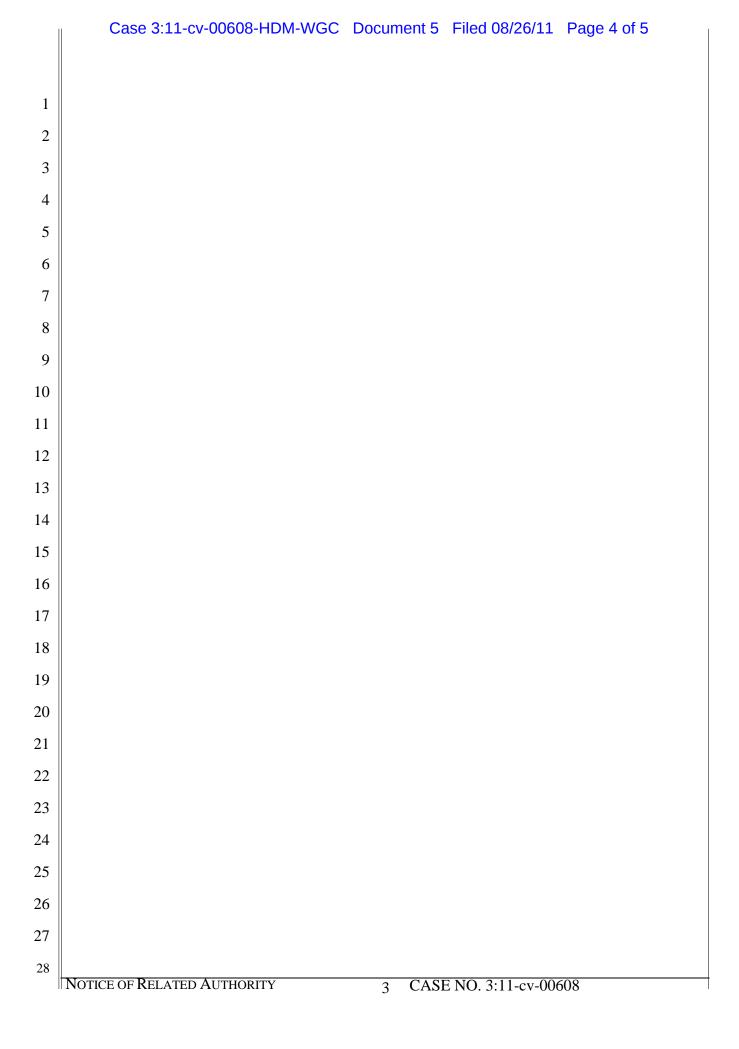
Defendants.

Pursuant to Local Rule 7-2.1, Federal Defendants submit this Notice of Related Cases.

Local Rule 7-2.1 provides that an action may be related to another action if "(a) [b]oth actions involve the same parties and are based on the same or similar claim; (b) [b]oth actions involving the same property, transaction or event; (c) [b]oth actions involve similar questions of fact and the same question of law and their assignment to the same district judge and/or magistrate judge is likely to effect a substantial savings of judicial effort, either because the same result should follow in both actions or otherwise; or, (d) [f]or any other reason, it would entail substantial duplication of labor if the actions were heard by different district judges or magistrate judges. The assigned judges will make a determination regarding the consolidation of the actions." LR 7-2.1.

The complaint in this action challenges the Bureau of Land Management's wild horse gather for the Triple B Complex covering approximately 1,682,998 acres in eastern Nevada. *See* Dkt. No. 1. Also, currently pending before this Court is *the Cloud Foundation et al. v. U.S. Bureau of Land Management et al.*, Case No. 3:11-cv-00459-HDM-VPC, which involves the very same wild horse gather on the Triple B Complex. In the *Cloud Foundation*, Plaintiffs sought a temporary restraining order and preliminary injunction to halt the gather. On July 15, 2011, Honorable Judge Howard D. McKibben denied Plaintiffs' motion. Judge McKibben has

1 invested substantial time and resources acquiring knowledge about the challenged action 2 involving the Triple B Complex. 3 Because this case and the Cloud Foundation challenge the same gather for the Triple B 4 Complex, it would be the most cost efficient and economical and would reduce substantial 5 duplication of labor if the same judge were assigned to decide all claims relating to the Triple B 6 Gather. Accordingly, Federal Defendants respectfully suggest that this action be reassigned to 7 Honorable Judge Howard D. McKibben. 8 9 Dated: August 26, 2011. 10 Respectfully Submitted, 11 IGNACIA S. MORENO, 12 **Assistant Attorney General** 13 /s/ Ayako Sato AYAKO SATO 14 D.C. Bar No. 977669 **Natural Resources Section** 15 Environment & Natural Resources Division United States Department of Justice 16 Ben Franklin Station, P.O. Box 663 Washington, D.C. 20044-0663 17 TEL: (202) 305-0239 FAX: (202) 305-0506 18 e-mail: ayako.sato@usdoj.gov ERIK E. PETERSEN 19 D.C. Bar No. 489073 20 **Trial Attorney** U.S. Department of Justice 21 **Environment & Natural Resources Division** Wildlife & Marine Resources Section 22 Ben Franklin Station 23 P.O. Box 7369 Washington, DC 20044-7369 24 Phone: (202) 305-0339 Fax: (202) 305-0275 25 Email: erik.petersen@usdoj.gov 26 Attorneys for Federal Defendants 27 28 NOTICE OF RELATED AUTHORITY CASE NO. 3:11-cy-00608 2



| 1 | UNITED STATES DISTRICT COURT FOR THE | | |
|---------------------------------|--|--|--|
| 2 | DISTRICT OF NEVADA | | |
| 3 4 5 | LAURA LEIGH Plaintiff, | CASE NO. 3:11-cv-00608 CERTIFICATE OF SERVICE | |
| | v. | CERTIFICATE OF SERVICE | |
| 6 7 | KEN SALAZAR, et al., | | |
| 8 | Defendants. | | |
| 9 | | | |
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| 11 12 | I hereby certify that on August 26, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such to the attorneys of record. | | |
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| 15 | /s/Ayako Sato AYAKO SATO | | |
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